

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Solomon Hall, Hartford

File No. 2007-343

**AGREEMENT CONTAINING CONSENT ORDER AND PAYMENT OF A CIVIL
PENALTY FOR VIOLATIONS OF CONNECTICUT GENERAL STATUTES § 9-410 (c)**

This agreement, by and between Lisa Stapleton of the Town of Bloomfield, County of Hartford, State of Connecticut, hereinafter referred to as the Respondent, and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with General Statutes § 4-177(c) and Section 9-7b-54 of the Regulations of Connecticut State Agencies. In accordance herewith, the parties agree that:

1. The Complainant, Solomon Hall, a resident of the City of Hartford, challenges the authenticity of his purported signature on a primary petition for the municipal office of Mayor of the City of Hartford submitted for the September 11, 2007 Democratic primary on behalf of Art J. Feltman. Two other consolidated complaints were also filed with respect to the authenticity of several signatures on primary petitions circulated on behalf of Mr. Feltman. The allegations concerning the additional Respondents identified in all three complaints will be addressed in separate documents.
2. In the present matter, the Commission voted on October 10, 2007 to expand the investigation of this complaint to include all primary and nominating petitions circulated on behalf of Art Feltman by the Respondent as the handwriting of several signatures on those petitions also appeared to be strikingly similar.
3. The Respondent circulated at least nine primary petition pages on behalf of Art. J. Feltman, candidate for mayor of the City of Hartford. The Respondent worked for the Feltman campaign and was paid approximately \$2325.00 from funds of Mr. Feltman's candidate committee. Circulating petitions in the North end Hartford was part of her campaign position.
4. Those petitions contain the following statement:

I am the circulator of this petition page and I make this statement pursuant to the provisions of Chapter 153 of the General Statutes of Connecticut. . . . **Each person whose name appears on this petition signatures page signed the same in person in my presence. I either know each such signer or such signer satisfactorily identified himself or herself to me.** The spaces for candidates supported, offices sought and the political party involved was filled in prior to my obtaining signatures. . . .

I hereby declare under the PENALTIES OF FALSE STATEMENT, that the statements made in the foregoing Circulator's Statement of Authenticity of Signatures are true. [Emphasis added.]

5. Those Statements were followed by the Respondent's signature.
6. The Respondent admits that she did not actually circulate all nine petitions. Rather, she admits that she six petitions out to volunteers to circulate and then signed her name to the Statements of Authenticity when they were returned. Furthermore, she admits that at the time she signed those Statements of Authenticity she did not know if the individuals whose name appeared on those petitions actually signed them.
7. General Statutes § 9-410, provides as follows in pertinent part:

(c) Each circulator of a primary petition page shall be an enrolled party member of a municipality in this state who is entitled to vote. . . . **Each separate sheet of such petition shall contain a statement as to the authenticity of the signatures thereon . . . and shall be signed under the penalties of false statement by the person who circulated the same,** setting forth such circulator's address and the town in which such circulator is an enrolled party member **and attesting that each person whose name appears on such sheet signed the same in person in the presence of such circulator, that the circulator either knows each such signer or that the signer satisfactorily identified the signer to the circulator** . . . [Emphasis added.]
8. General Statutes § 9-410 (c) requires that each individual that circulates a petition must provide an attestation under the penalties of false statement that each person who signed that petition signed in the circulator's presence, and that each signatory was either known to the circulator or satisfactorily identified him or herself to the circulator.
9. An implicit requirement of General Statutes § 9-410 (c) is that the circulator's attestation be true. Accordingly, if the circulator signed a General Statutes § 9-410 (c) petition statement that he or she knew or reasonably should have known was untrue, that circulator will be deemed to have violated General Statutes § 9-410 (c).
10. The Respondent admits that several individuals did not sign the petitions in question in her presence.
11. Accordingly, it is concluded that the Respondent knew or should have known six of the Statements of Authenticity of Signatures that she provided that "each person whose name appears on this page signed the same in person in my presence" were not accurate.
12. As such, each of the Respondent's knowingly inaccurate Statements Authenticity constitute separate violations of General Statutes § 9-410 (c).

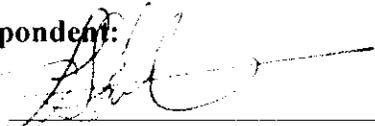
13. The Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
14. It is understood and agreed that this Agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
15. The Respondent waives:
 - a. Any further procedural steps;
 - b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - c. All rights to seek judicial review or otherwise to challenge or contest the validity of the agreement or Order entered into pursuant to this agreement.
16. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against her pertaining to this matter.

ORDER

IT IS HEREBY ORDERED that the Respondent shall refrain from circulating primary petitions in Connecticut for a period of two years from the date of this Agreement is adopted by the Commission and shall henceforth strictly comply with Connecticut General Statutes § 9-410 (c).

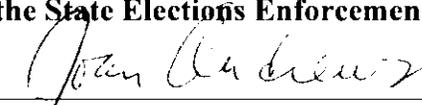
IT IS FURTHER ORDERED that on or before March 4, 2009, the Respondent, shall pay a civil penalty in the amount of and is assessed a civil penalty in the amount of two thousand dollars (\$2000.00) to the Commission. The civil penalty is herewith remitted to two hundred dollars (\$200.00) due to Respondent's financial hardships, *and is due within seven days of the signing and adoption of this agreement.*

Respondent:

BY: 

Lisa Stapleton
5 Wyndemere Road
Bloomfield, CT

For the State Elections Enforcement Commission

BY: 

Joan M. Andrews, Esq.
Director of Legal Affairs and Enforcement
and Authorized Representative of the State
Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, Connecticut

Dated: 03/04/09

Dated: 3/4/09

Adopted this ^{8th} ~~25th~~ day of April ~~March~~, 2009 at Hartford, Connecticut


Stephen F. Cashman, Chairman
By Order of the Commission